

1 **R277. Education, Administration.**

2 **R277-610. Released-Time Classes~~[-for Religious Instruction]~~.**

3 **R277-610-1. Definitions.**

4 A. "Board" means the Utah State Board of Education.

5 B. "Non-entangling criteria" means neutral course
6 instruction and standards that are academic not devotional;
7 promote awareness not acceptance of any religion; expose not
8 impose a particular view; educate about religion; and inform
9 but not seek to make students conform to any religion.

10 ~~[B]~~C. "Released-time" means a period of time during the
11 regular school day when a student attending a public school is
12 excused from the school, at the request of the student's
13 parent~~[, to attend classes in religious instruction given by~~
14 ~~a regularly organized church]~~.

15 **R277-610-2. Authority and Purpose.**

16 A. This rule is authorized by Utah Constitution Article
17 X, Section 3 which vests general control and supervision of
18 public education in the Board, Section 53A-1-402(1) which
19 directs the Board to adopt minimum standards for public
20 schools, and Section 53A-1-401(3) which permits the Board to
21 adopt rules in accordance with its responsibilities.

22 B. The purpose of this rule is to specify standards and
23 procedures for public schools regarding released-time
24 ~~[religious]~~classes.

25 **R277-610-3. Standards and Procedures for Released-Time**
26 **Classes.**

27 ~~[A. Religious classes shall not be held in school~~
28 ~~buildings or on school property in any way that permits public~~
29 ~~money or property to be applied to, or that requires public~~
30 ~~employees to become entangled with, any religious worship,~~
31 ~~exercise, or instruction.]~~

32 ~~[B]~~A. Students ~~[shall]~~may attend released-time classes
33 during the regular school day only upon the written request of

the student's parent or legal guardian.

~~[C. A student shall not be excused from school, even upon the written request of a parent or guardian, at a time when that student should be in attendance at a regular class of the school for which credit is normally required for graduation or to complete the required course of study.]~~

[D]B. A public school shall not ~~[keep]~~maintain records of attendance for released-time classes or use school personnel or ~~[any part of the]~~school ~~[organization]~~resources to regulate such attendance.

~~[E. Records of attendance at released-time classes, grades, marks, or other data shall not be included in the reports made by the school to parents.]~~

[F]C. Teachers of released-time classes are not ~~[to be considered]~~members of the school faculty ~~[or to]~~and shall not participate as faculty members in any school function. Released-time teachers may participate in school activities as community members.

[F]D. Public school teachers, administrators, or other officials shall not request teachers of released-time classes to exercise functions or assume responsibilities for the public school program which would result in a commingling of the activities of the two institutions.

[G]E. Schedules of classes for public schools shall not include released-time classes by name. At the convenience of the school, registration forms may contain a space indicating ~~[A]~~released-time~~[L]~~ designation. ~~[Scheduling shall be done on forms and supplies furnished by the religious institution and by personnel employed or engaged by the institution and shall occur off the premises of the public school.]~~

[H]F. Public school publications shall not include pictures, reports, or records ~~[of functions]~~of released-time classes.

[I]G. Public school equipment or personnel shall not be used in any manner to assist in the conduct of released-time classes. ~~[No connection of bells, telephones, or other devices shall be made between public school buildings and institutions]~~

71 ~~offering religious instruction except as a convenience to the~~
72 ~~public school in the operation of its own program. When any~~
73 ~~connection of devices is permitted, the pro rata costs shall~~
74 ~~be borne by the respective institutions.]~~

75 ~~[K. Institutions offering religious instruction shall be~~
76 ~~regarded as private schools completely separate and apart from~~
77 ~~the public schools. Those relationships that are legitimately~~
78 ~~exercised between the public school and any private school are~~
79 ~~considered an appropriate relationship with institutions~~
80 ~~offering released-time classes, so long as public property,~~
81 ~~public funds, or other public resources are not used to aid~~
82 ~~such institutions.~~

83 **R277-610-4. Additional Conditions for Religious Released-Time**
84 **Programs.**

85 A. Religious classes shall not be held in school
86 buildings or on school property in any way that permits public
87 money or property to be applied to, or that requires public
88 employees to become entangled with, any religious worship,
89 exercise, or instruction.

90 B. Religious released-time scheduling shall be done on
91 forms and supplies furnished by the religious institution and
92 by personnel employed or engaged by the institution and shall
93 occur off the premises of the public school.

94 C. No connection of bells, telephones, computers or other
95 devices shall be made between public school buildings and
96 institutions offering religious instruction except as a
97 convenience to the public school in the operation of its own
98 program. When any connection of devices is permitted, the
99 costs shall be borne by the respective institutions.

100 D. Records of attendance at religious released-time
101 classes, grades, marks, or other data shall not be included in
102 the correspondence or reports made by the public school to
103 parents.

104 E. Institutions offering religious instruction are
105 private schools separate and apart from the public schools.
106 Those relationships that are legitimately exercised between

the public school and any private school are appropriate with institutions offering released-time classes, so long as public property, public funds, or other public resources are not used to aid such institutions.

F. Public schools may grant elective credit for religious released-time classes if the school district establishes neutral, non-entangling criteria with which to evaluate the courses.

KEY: [~~religious education~~]released-time classes

Date of Enactment or Last Substantive Amendment: [~~1987~~]2011

Notice of Continuation: January 8, 2008

Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53A-1-402(1); 53A-1-401(3)